

### REMARKS

Applicants thank the Examiner for the courtesy extended to Applicants' attorney during the interview held October 4, 2006, in the above-identified application. During the interview, Applicants' attorney discussed the claim objections in the Office Action, and particularly noted that the Examiner appears to have changed, in effect, the restriction requirement, since the Examiner now appears to restrict the elected invention to one wherein heteroaryl for  $R^{13}$ - $R^{22}$  is thiophenyl, pyrrolyl or furfuryl. The discussion is summarized and expanded upon below.

The objection to Claims 147-190, 201-207 and 221-245 as containing non-elected subject matter, i.e., "heteroaryl of the variable  $R^3$ - $R^8$ , or  $R^{13}$ - $R^{22}$ , the 1<sup>st</sup> to the 18<sup>th</sup> compounds, and the 27<sup>th</sup> to 31<sup>th</sup> compounds of Claim 190 (i.e., they do not contain a morpholine moiety), etc."

In reply, and as Applicants' attorney noted during the above-reference interview, the original Restriction Requirement, dated November 23, 2005, defined Group I as, *inter alia*, "drawn to compound/compositions of formula (I), wherein the heteroaryl of variable  $R^3$ - $R^8$  represents thiophenyl, pyrrolyl, or furfuryl thereof; the variable  $R^1$  and  $R^2$  are as defined in Claim 147 and when  $R^{10}$  and  $R^{11}$  together denote  $(CH_2)_2O(CH_2)_2$ , and the  $(CH_2)_2O(CH_2)_2$  with the adjacent nitrogen (i.e., from  $CH(R^9)N(R^{10})(R^{11})$ ) may form a morpholine." There was no requirement to limit  $R^{13}$ - $R^{22}$  in any way, or to exclude non-heteroaryl members from the  $R^3$ - $R^8$  Markush group. Thus, the present claims are limited to said Group I, as the Examiner presented it. Accordingly, it is respectfully requested that the objection be withdrawn.

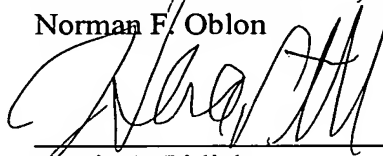
Applicants respectfully submit that all of the presently-active claims in this application are now in immediate condition for allowance. Accordingly, the Examiner is respectfully

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requested to rejoin non-elected process claims of even scope and absent further grounds of rejection, pass this application to issue with allowed product and rejoined process claims.

Respectfully submitted,

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